

March 30, 2004

The Honorable George T. Musler, Chairman
Environment & Agriculture Committee
Room 303
Legislative Office Building
Concord, NH 03301

Re: **SB 481-FN, establishing a sewer and other water-related purposes district for Great Bay.**

Dear Chairman Musler:

Thank you for the opportunity to comment on SB 481-FN, which establishes the Estuary Alliance for Sewage Treatment for the purpose of developing joint public wastewater collection, treatment, and discharge systems for the disposal of treated wastewater, and for other water-related purposes, for municipalities in the Great Bay Estuary and related area.

The Estuary Alliance for Sewage Treatment (EAST) would be a public corporation having a distinct, legal existence separate from the state. EAST would be subject to a board of directors consisting of representatives from every town or city that joins the alliance by agreement and representatives from at least two county commissions. The potential number of directors is approximately 50. I am concerned that this approach will not result in the creation of an effective entity to plan, construct, and operate the regional sewage collection system and Atlantic Ocean outfall that is so critical to improving and preserving the Great Bay Estuary.

The Department of Environmental Services supports an alternative model already existing in state law. RSA 485-A: 45-54 establishes the Winnepesaukee River Basin Control Program. As you may recall, the Winnepesaukee River Basin project is the highly successful regional effort to clean up Lake Winnisquam by replacing inadequate local sewers and on-site septic systems with a state-of-the art interceptor sewer and sewage treatment facility. The legislature authorized the Department of Environmental Services in RSA 485-A: 45-54 to construct and operate the regional sewage treatment facility located in Franklin and funded it with annual municipal assessments sufficient to recover each city's or town's proportional share of the total costs. The operation of the Winnepesaukee River Basin Program is under the oversight of an advisory board consisting of one member from each community served by the facility.

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In my view, the Winnepesaukee River Basin Program would provide a more efficient model for the legislature to adopt in establishing the entity responsible for the regional Great Bay Estuary Sewage Treatment Initiative.

I would be happy to answer questions or provide additional information about this matter. I also offer my staff to assist the committee in developing a bill that would be acceptable to all interested parties.

Thank you again for this opportunity to comment. Please call me at 271-3503 or John Bush at 271-2001 if you have any questions or need additional information.

Sincerely yours,

Michael P. Nolin
Commissioner

cc: Senator Prescott
Senator Green
Representative Wall
Representative Roessner